

NOV 27 2006

Application No. 10/667,473
Attorney Docket No. 100204675-1
(HD#6215-000092/US)**REMARKS**

Claims 1-45 are pending. Of these, claims 1, 12, 17, 28, 33, 39 and 44 are written in independent format.

DRAWING OBJECTIONS

Beginning on Page 2 of the Office Action, the drawings are objected to for failing to show every claimed feature. Applicant traverses.

More particularly, the drawings are objected to as not depicting the nodes of the third category recited in claims 15 and 41. Again, Applicant traverses. In Fig. 2, for example, an instance of a second-category node has been depicted as the host "Pilgrim" and has been given item number 212. Host Pilgrim 212 also has been depicted next to an expandable icon [Ⓐ]. The skilled artisan would have understood the expandable icon located adjacent host Pilgrim 212 as a depiction, albeit indirect, of instances of third-category nodes such as are recited in claims 15 and 41. Accordingly, it is submitted that the drawings adequately depict the nodes of the third category recited in claims 15 and 41.

Furthermore, the drawings are objected to as not depicting the constellation of claims 44-45. Among other things, at least some of the FIGS depict a table, e.g., table 204 in FIG 2. As recited in claim 45, an example of a constellation is a table. Hence, it is submitted that the FIGS depict an example of the claimed constellation.

In view of the foregoing discussion, it is submitted that drawing changes are unnecessary. Accordingly, withdrawal of the objection is requested.

SPECIFICATION OBJECTIONS

On Page 3 of the Office Action, the Specification is objected to as including drawings. It is presumed that the 'drawings' which have drawn the objection are either the Table of Paragraph 30 or the Icons of Paragraph 37. Regardless, Applicant traverses.

Tables are not precluded from a specification, hence such an objection to Paragraph 30

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would be improper. Rule 58 is concerned with flow diagrams and typical patent drawings. An Icon is far from being a typical patent drawing. Hence, it is submitted that the inclusion of one or more Icons in a specification is not precluded by Rule 58. However, if (after reconsideration) the Examiner believes that the present Specification would be improved by deleting the Icons from Paragraph 37, then Applicant would be willing to do so. The Examiner is requested to advise accordingly.

On Page 3 of the Office Action, Paragraph 27 of the Specification is objected to because of a typographical error. Applicant has submitted a correction to Paragraph 27 by this Amendment.

In view of the foregoing discussion, withdrawal of the objections to the Specification is requested.

CLAIM OBJECTIONS

Claims 3, 19 and 34 are objected to because of typographical errors. By this reply, Applicant has corrected the typographical errors in claims 3, 19 and 34. Accordingly, withdrawal of the objection is requested.

§ 112 REJECTION

Beginning on page 4 of the Office Action, claims 4, 13, 20 and 40 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. This rejection is traversed. By this reply, clarifying changes have been made to claims 4, 13, 20 and 40 responsive to the Examiner's comments. Accordingly, withdrawal of the rejection is requested.

§ 101 REJECTION

On Page 5 of the Office Action, claims 1-11 stand rejected under 35 U.S.C. §101 for being directed to non-statutory subject matter. This rejection is traversed.

By this reply, consistent with the Examiner's suggestion, claim 1 has been amended to clarify that the method is a computer-implemented method. Accordingly, withdrawal of the rejection is requested.

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§102 REJECTION

Beginning on Page 6 of the Office Action, claims 1-44 stand rejected under 35 U.S.C. §102(c) as being anticipated by U.S. Pre-Grant Publication ("PGPub") No. 2004/0243616 to Benhase et al. ("the Benhase '616 PGPub"); This rejection is traversed.

Applicant does not admit that the Benhase '616 PGPub is relevant to any of claims 1-44. However, in an effort to expedite prosecution of the present application, Applicant files concurrently herewith a Rule 1.131 Declaration and Exhibit A attached thereto for the purpose of antedating the Benhase '616 PGPub. The Rule 131 Declaration renders the Benhase '616 PGPub ineligible as a reference under §102(e).

In view of the Rule 131 Declaration and the foregoing discussion, the rejection is improper and its withdrawal is requested.

CONCLUSION

The issues raised in the Office Action are considered to be resolved. Accordingly, Applicant again requests a Notice of Allowance.

If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to contact the undersigned.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge any underpayment or non-payment of any fees required under 37 C.F.R. §§ 1.16 or 1.17, or credit any overpayment of such fees, to Deposit Account No. 08-0750, including, in particular, extension of time fees.

Respectfully submitted,

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